

FILED

APR 19 2011

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

Phil Lombardi, Clerk
U.S. DISTRICT COURT

1) JAMAAL MARTEZ SMITH,

Plaintiff,

v.

2) CITY OF BARTLESVILLE, a Political
Subdivision and Municipal Corporation,

3) BOARD OF COUNTY COMMISSIONERS OF
THE COUNTY OF WASHINGTON, ADAM K.

WALKER, CHAD T. McCARTY, individually,

4) STACY NEAFUS, individually and GLEN R.
McCLINTOCK, individually,

Defendants.

11 CV - 232 JHP TLW

Case No. _____

Jury Trial Demanded

NOTICE OF REMOVAL

To the United State District Court for the Northern District of Oklahoma:

COME NOW the Defendants, City of Bartlesville, Adam Walker, Stacy Neafus and Glen McClintock, by and through their attorney of record, Scott B. Wood of the law firm of Wood, Puhl & Wood, P.L.L.C., located in Tulsa, Oklahoma, and pursuant to 28 U.S.C. §1441, seek to remove to this Court an action pending in the District Court of Washington County, State of Oklahoma, and state as follows:

1. The Defendants are named in this action brought by Plaintiff Jamaal Martez Smith in the Washington County District Court styled Jamaal Martez Smith v. City of Bartlesville, a Political Subdivision and Municipal Corporation, Board of County Commissioners of the County of Washington, Adam K. Walker, Chad T. McCarty, individually, Stacy Neafus, individually and Glen R. McClintock, individually, Case No. CJ-2011-69 (Dist. Ct. Washington County). Washington County is within the federal judicial district served by this United State District Court pursuant to 28 U.S.C. §116(a).

See P

2. Defendants, City of Bartlesville, Adam K. Walker, Stacy Neafus, and Glen R. McClintock, were first served or otherwise received a copy of plaintiff's petition in this action on March 31, 2011. Defendants, Board of County Commissioners of the County of Washington, and Chad T. McCarty, join in the removal of this case and have no objection to its removal to federal court. This Notice of Removal is timely filed under 28 U.S.C. §1446.

3. The Washington County District Court Petition states, in part, that it is a civil action brought for defendants' alleged infringement on Plaintiff's civil rights, in violation of 42 U.S.C. §1983. Thus, pursuant to 28 U.S.C. §1331, this United States District Court has original federal question jurisdiction over the claim raised by plaintiff.

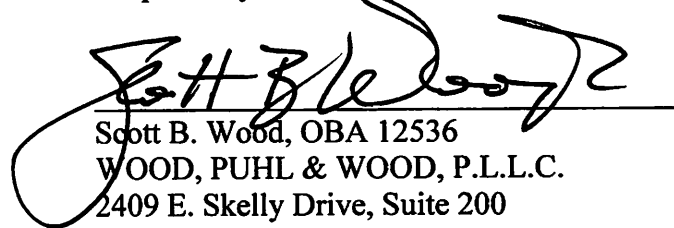
4. Removal of the Washington County District Court action to the United States District Court for the Northern District of Oklahoma is proper pursuant to 28 U.S.C. §1441.

5. Copies of all process, pleadings, and orders served upon the Defendants in the Washington County District Court action are attached to this Notice.

6. Pursuant to 28 U.S.C. §1446(d), Defendants are providing notice of this removal to the plaintiff and filing a copy of the notice with the clerk of the District Court of Washington County.

WHEREFORE, premises considered, Defendants request that this action stand removed to the United States District Court for the Northern District of Oklahoma.

Respectfully submitted,



Scott B. Wood, OBA 12536
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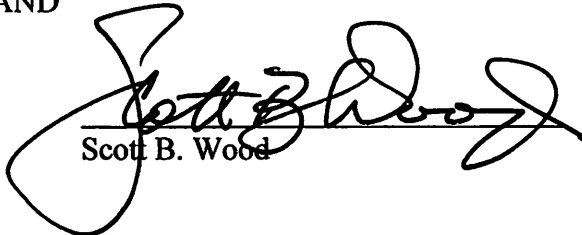
*Adam K. Walker, Stacy Neafus, and
Glen R. McClintock*

CERTIFICATE OF MAILING

This is to certify that on this 9th of April, 2011, a true and correct copy of the above and foregoing instrument was mailed, postage thereupon fully prepaid, to the following:

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Scott B. Wood